

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen J. Anderson, et al., Art Unit : 3627
Serial No. : 10/686,425 Examiner : Ramsey Refai
Filed : October 15, 2003 Conf. No. : 7292
Title : SYSTEM WITH AN INTERACTIVE, GRAPHICAL INTERFACE FOR
DELIVERY OF PLANNING INFORMATION AND CONSULTING
MATERIALS, RESEARCH, AND COMPLIANCE INFORMATION RELATING
TO TAX OR OTHER FORMS

Commissioner for Patents
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PRE-APPEAL REVIEW REQUEST FOR REVIEW

Pursuant to the Pre-Appeal Brief Conference Pilot Program,¹ applicant respectfully requests review of the final rejection of claims 1-10, 17-25 and 32-40.

It is submitted that the rejections of the claims under 35 U.S.C. § 112, par. 2 have been overcome in view of the Examiner's entry of the amendments in the Advisory Action of July 23, 2009.² Applicant would appreciate the Examiner's confirmation that the rejections under section 112, par. 2 are withdrawn.

The claims also stand rejected under 35 U.S.C. §103(a) as obvious from U.S. Patent No. 7,117,199 (Frank) in view of U.S. Patent No. 5,191,525 (LeBrun).³ As discussed below, applicant respectfully requests reconsideration.

One aspect of the invention relates to presenting an interactive graphical depiction of a form (*i.e.*, a graphical depiction of a document with one or more areas for insertion of information, such as a tax form) through a computer network to allow a user to request information relating to a selected location on the form by interacting with the graphical depiction

¹ See 1296 OG Pat. Off. 67 (July 12, 2005) and OG Notice of 7 Feb. 2006.

² The amendments initially were submitted on June 30, 2009 and were re-submitted with corrected status identifiers for the claims on July 15, 2009.

³ At page 6, par. 5, the final Office action (5/27/09) states that the basis of the rejections is 35 U.S.C. 102(e) and that the claims are rejected as "anticipated" by Frank in view of LeBrun. Applicant assumes this was a typographical error on the part of the Office and that the reference should have been to 35 U.S.C. §103(a) as indicated in par. 4.

of the form. In response, information relating to the selected location on the form is delivered through the network.

The invention can facilitate, for example, a user's planning, regulatory compliance and research needs by allowing the user to select a particular part of the form (*e.g.*, a tax form) about which the user desires information and, in response, to receive such information relating specifically to the selected part of the form.⁴

The Frank patent discloses a computer system that presents a map interface, which enables a user to pose a query that represents a spatial domain (*i.e.*, a geographical location or a virtual layout) *e.g.*, of a planned housing development (7:8-10).⁵ The search criteria that define the query include a free text entry query and a domain identifier. Although the map interface can enable the user to enter the domain identifier as part of the search criteria by interacting with the displayed map (3:46-51), the search query itself is entered using text entry tools (8:42-43).

In contrast to the subject matter of independent claim 1, the Frank patent has absolutely nothing to do with a graphical depiction of a "form" (*i.e.*, a document with one or more areas for insertion of information) as recited in the claims.

The final Office action (5/27/09) acknowledges that Frank does not disclose an interactive, graphical depiction of a form as set forth, *e.g.*, in claim 1, but relies on LeBrun for its disclosure of images of tax forms in digital format. The Office action alleges, incorrectly, that it would have been obvious to combine the disclosure of LeBrun with the disclosure of Frank so as to obtain the subject matter of the pending claims. As explained below, neither Frank, nor LeBrun, nor any reasonable combination, would have rendered obvious use of a graphical depiction of a form (as claimed) to facilitate delivery of information about a selected location on the form through a user's interaction with the graphical depiction of the form.

⁴ Applicant points out that claim 1 recites that the information delivered to the user through the network includes at least one of the following relating to the selected form location: "planning information, consulting materials, research, and compliance information." This is not simply a matter of "zooming in" to see an enlarged view of a particular portion of a displayed image of a form. The statement in the Advisory Action (7/14/09) at page 2 ("doing so would allow for information *on a particular region of the tax form* to be displayed") suggests that the Examiner may not have appreciated this point.

⁵ References to column and line numbers are in the format (column: lines).

In particular, as explained in greater detail below, even if LeBrun were somehow combined with Frank's system, at most a person of ordinary skill might have had a reason to incorporate LeBrun's system as part of Frank's data collection process 30 or data analysis process 40. There would have been absolutely no reason to replace Frank's graphical map interface with a digital image of a tax or other form as disclosed by LeBrun.

FIG. 1 of Frank, which is reproduced below, shows various subsystems, as well as a map interface 80 presented to a user to enable the user to pose a query and to view a representation of the results arranged on the map (5:52-56). Frank's system includes a storage system 22, which contains information in the form of documents, as well as subsystems for data collection 30 and data analysis 40, among others. The data collection process 30 is for gathering new documents, which are stored along with previously stored documents so that they are made available for subsequent retrieval in response to a user's query. The data analysis process 40 is for extracting information and meta-information from the documents (16:39-43) and includes an indexer process 46, which analyzes documents to prepare data structures that accelerate the search process (16:44).

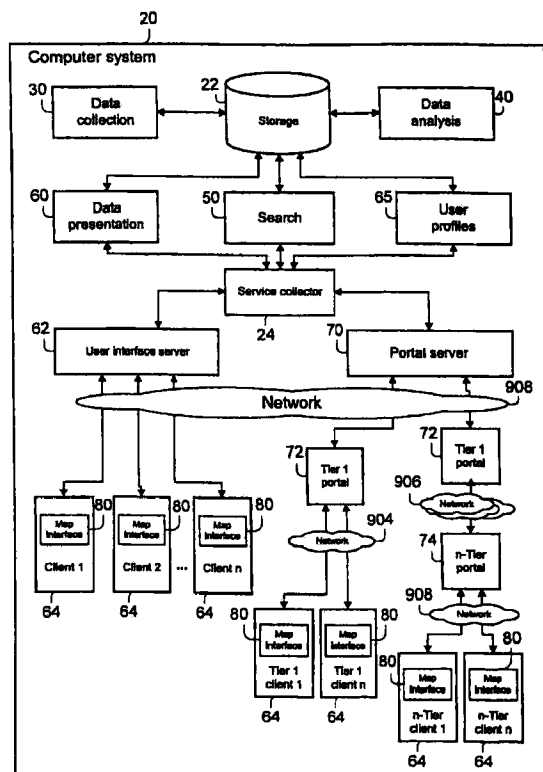


FIG. 1

LeBrun discloses a system for automatically capturing, identifying, indexing and recording data and images from an incoming stream of documents (1:31-35). The system can be used for document retrieval and storage (3:22-23). In particular, the system is said to result in improvements over known data collection centers (3:3-6), such as speeding up document processing and reducing errors (3:13-18). As part of the process of capturing, identifying and indexing, the system converts documents, such as tax or other forms and supporting pages, into digital data. Thus, LeBrun's system performs tasks (*e.g.*, data and document collection; indexing) that are similar in nature to the functions of Frank's storage system with its data collection 30 and data analysis 40 subsystems.

In view of the disclosures of Frank and LeBrun, even if LeBrun were somehow combined with Frank's system, at most a person of ordinary skill might have incorporated LeBrun's system as part of Frank's storage system 22 and/or data collection and data analysis subsystems 30, 40 so as to facilitate collection, analysis, searching and/or retrieval of digital images of documents (including tax forms) in response to a query entered through Frank's graphical map interface. There would have been absolutely no reason to replace Frank's graphical map interface 80 with an interactive digital image of a tax or other form.

The final Office action points to FIG. 6 of LeBrun as illustrating an image of tax form. Applicant does not dispute that digital images of tax forms were known. But that is irrelevant to the patentability of the pending claims. It is clear from LeBrun that tax or other forms are simply used as examples of the type of documents that can be processed as part of an incoming stream of documents and stored for subsequent retrieval. Thus, LeBrun's disclosure of images of tax forms in digital format might have suggested to a person of ordinary skill that such images could be included among the information stored by Frank's data collection process 30 for subsequent retrieval in response to a user's query. There would, however, have been absolutely no reason to replace Frank's graphical map interface 80 with an interactive graphical depiction of a tax or other form. Therefore, there would have been no reason to modify Frank so as to receive a request for information relating to a location on a form selected by a user, where selection of the location on the form is made "through interaction with the graphical depiction of the form," as recited in claim 1.

LeBrun further discloses that the image-based document processing system manages document entry and flow within a business by allowing user interaction with the electronically captured documents (1:12-14). For example, the system can route transactions and associated document images to specific human operators for review (6:12-21). Likewise, graphic images of documents can be retrieved and presented to clerk in support of a customer inquiry (22:40-43). The nature of such interaction is substantially similar to the type of interaction that can occur with documents stored in and retrieved by Frank's system (*i.e.*, the system stores digital images of documents which subsequently can be retrieved and presented to a user via a user interface).

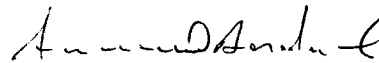
Thus, as relevant to the subject matter of the pending claims, LeBrun simply discloses that it is possible to store tax and other forms in digital format for subsequent processing, analysis and retrieval. At most, a person of ordinary skill might have concluded that such forms could be included among the documents stored by Frank's system and retrieved in response to a user's query submitted through the map interface 80. However, a person of ordinary skill would have had no reason to replace the map in Frank's user interface 80 with a graphical depiction of a tax or other form so as to allow a user to select a section of the form through interaction with the form and receive specific types of information (*i.e.*, "planning information, consulting materials, research, and compliance information") based on the selected section.

At least for the foregoing reasons, the rejection of claim 1, as well as its dependent claims, should be withdrawn. Independent claims 17 and 32, as well as their respective dependent claims, should be allowed for similar reasons.

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Respectfully submitted,

Date: 10/13/07



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